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ENTERED  
 Office of Proceedings  
 August 20, 2020  
 Part of  
 Public Record

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August 20, 2020

**VIA E-FILING**

Cynthia T. Brown, Chief  
 Section of Administration, Office of Proceedings  
 Surface Transportation Board  
 395 E Street, SW  
 Washington, D.C. 20423-0001

|                                                                                                                                  |                                          |
|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <br><b>GRANTED</b><br>Office of<br>Proceedings | DECISION ID NO.: 50396                   |
|                                                                                                                                  | DECIDED DATE: 8/21/2020                  |
|                                                                                                                                  | SERVED DATE: 8/24/2020                   |
|                                                                                                                                  | APPROVED: <i>Aim C. Dini</i><br>Director |
| <input checked="" type="checkbox"/> Extended to 9/17/2021.                                                                       |                                          |

RE: Norfolk Southern Railway Company – Abandonment Exemption – In Nottoway County, Virginia, AB-290 (Sub-No. 378X)

**Consummation Deadline Extension**

Dear Ms. Brown:

I am writing on behalf of Norfolk Southern Railway Company (“NSR”) in connection with the above-referenced railroad abandonment proceeding to request relief from the consummation notice requirements set forth at 49 C.F.R. § 1152.29(e)(2). Specifically, for the reasons set forth below, NSR hereby requests an additional one-year extension of the applicable consummation notice deadline to salvage and consummate its abandonment authority.

On August 28, 2015, NSR filed a verified notice of exemption to abandon rail service over approximately 0.70 miles of railroad line, between mileposts N 133.4 (near Atwood Street) and N 134.1 (near Highway 460 and Burkes Tavern Road), in Nottoway County, Va. (the “Line”). Notice of the exemption was served and published in the Federal Register on September 17, 2015 (80 Fed. Reg. 55,904) as corrected by decision served October 6, 2015.

The exemption was originally scheduled to become effective on October 17, 2015. However, in a decision served on October 16, 2015, the Board implemented some salvaging conditions.<sup>1</sup> NSR has received several consummation deadline extensions since the abandonment

<sup>1</sup> The conditions imposed by the Board include: (1) consult with the National Geodetic Survey (“NGS”) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers; and (2) prior to commencement of any salvage activities (i) consult with the U.S. Fish and Wildlife Service (“USF&WLS”) regarding potential impacts from salvaging activities to federally listed threatened and endangered species that may occur in the

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notice was published to allow NSR time to complete required consultations and undertake preparations necessary to exercise the abandonment authority granted. Earlier this spring, NSR began to wrap up the preparations necessary for consummation and resolve the salvage conditions, which were required to be completed before the onset of salvage. See FN 1. On August 14, 2020, NSR updated OEA via e-mail that it had completed its consultation with the USF&WLS consistent with the October 16, 2015 decision. NSR has also notified NGS that salvage would be occurring in the near-term. Unfortunately, the Covid-19 outbreak has contributed to delays in wrapping up this abandonment. While NSR is exercising discontinuance authority effective today, it still needs additional time to complete salvage and file its abandonment consummation notice. For the reasons explained herein, NSR respectfully requests a one-year extension of the current deadline for filing a notice of consummation of abandonment authority to allow NSR to complete salvage and consummate abandonment authority in this proceeding.

Sincerely,

/s/ *Crystal M. Zorbaugh*

Crystal M. Zorbaugh  
Counsel for Norfolk Southern Railway Company

cc: Parties of Record  
Hanna Chouest  
Laura Hoag

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vicinity of the line, and (ii) report the results of the consultations in writing to the Board's Office of Environmental Analysis ("OEA") **prior to the onset of salvage operations.**